

COLORADO STATE BOARD OF PHARMACY

July 17, 2008

Minutes

The Colorado State Board of Pharmacy meeting was convened by President E. Katherine Edelblut, R.Ph., at approximately 8:37 a.m. on Thursday, July 17, 2008 at 1560 Broadway, Conference Room 1380 A & B, Denver, CO. Notice of this meeting was given in accordance with Division of Registrations Policy Number 80-17.

Board members attending were: Mary K. Arceneaux, R.Ph., Jeannine G. Dickerhofe, R.Ph., Rich Doyle, R.Ph., E. Katherine Edelblut, R.Ph., Leonard Hierath, P.E., Paul Limberis, R.Ph., and Averil Strand, R.N.

Staff members attending were Wendy Anderson, R.Ph., Program Director; Chris Gassen, R.Ph., Chief Inspector; Billie Marseilles, R.Ph., Inspector, Susan Martin, R.Ph., Inspector; Mark O'Neil, R.Ph., Inspector; Tia Johnson, Complaint/Licensing Analyst; and Leslie Lewis, Specialist, Office of Expedited Settlement. Also present was Jack Wesoky, First Assistant Attorney General, to advise the Board.

APPROVAL OF MINUTES

The Board approved the minutes from the May 15, 2008 meeting as amended.

ADDITIONS TO THE AGENDA

Ms. Anderson advised the Board of the following additions to the agenda:

- Information concerning Senate Bill 242, and corresponding rule revisions to Rule 15.09.11(c).
- Information concerning a recent inspection of Printers Parkway Pharmacy, LLC, PDO 721
- Additional information concerning Case #2008-1734
- Case #2008-3744 concerning Teresa B. Hornby, RPH
- Pharmacist License Reinstatement Application for Glen Kruk, RPH

APPEARANCES

Paul Limberis, R.Ph. presented information concerning quality assurance originally presented at the National Association of Boards of Pharmacy (NABP) Annual Meeting.

HEARINGS

The Board conducted a public hearing concerning additions to or amendments to the following regulations: 3.04.10, 3.04.32, 3.04.42, and 3.04.43, (3 CCR, 719-1). The hearing began at 9:30 a.m. and was held in Conference room 1380 A&B at 1560 Broadway, Denver, Colorado. The Board discussed all proposed changes to the rules then adopted rules 3.04.10, 3.04.32, 3.04.42, 3.04.43 as proposed.

REPORTS

President's Remarks

None.

Program Director's Report

Ms. Anderson discussed the Electronic Prescription Drug Monitoring Program (PDMP). She detailed steps that Board staff is taking to remind uploaders about data submission to the PDMP. She then discussed pharmacy non-compliance with data submission. She told the Board that staff has been processing PDMP complaints according to the guidelines the Board set forth in April 2008. However, some pharmacies whose cases were dismissed due to compliance have now fallen out of compliance. The Board decided that staff should settle these complaints with the pharmacy paying a \$5000 fine or relinquishing its registration.

Ms. Anderson informed the Board that the Other Outlet Committee had met for its final meeting in June 2008. The Committee recommended some changes to the rules. These changes will be brought to the Board for consideration at a future meeting. Ms. Anderson updated the Board on the National Association of Boards of Pharmacy (NABP) Annual Meeting. She attended the meeting with three Board members. Ms. Anderson informed the Board about a Federal Register Notice for the electronic transmission of controlled substances. The Notice is soliciting comment on the proposal.

Ms. Anderson told the Board that the Pharmacy Technician Taskforce had met for the first time in June. She detailed the progress of that meeting. She then updated the Board on NABP approval of the Pharmacy Compounding Accreditation Board (PCAB). She reminded the Board that a bill from the 2007 session had yet to be implemented because the Board had not approved a compounding accreditation entity. She told the Board that NABP and PCAB are working out their differences and a resolution may be reached in the upcoming months.

Ms. Anderson discussed some difficulties with wholesaler licensing. The Board directed staff to draft a policy for its review at an upcoming meeting. Ms. Anderson then explained that many individuals whose pharmacist licenses have been suspended for a long period of time have been requesting reinstatement. She explained the difficulties surrounding this in that many of the suspension stipulations that were drafted included the Current Competency Examination as one of the terms to reinstate. That examination is no longer available. The Board directed staff to draft a policy for approval at an upcoming meeting.

Ms. Anderson then informed the Board about Senate Bill 242 from the recent session. This law changes the wholesale law in Colorado. Ms. Anderson then passed out a rule revision to incorporate the changes to the law. The Board voted to move the amended rule to hearing.

Ms. Anderson told the Board that the inspectors were conducting a Manager's Seminar in Grand Junction in September.

Colorado Pharmacists Society (CPS) – Rich Doyle, RPh

The Colorado Pharmacists Society (CPS), in conjunction with McKesson Automation, provided an ACPE program July 16, 2008 at the Downtown Aquarium on the subject of patient safety. The speaker was Dr. Stuart Levine from the Institute of Safe Medication Practices and the presentation included an update on medication reconciliation related to National Patient Safety Goals 2009. The program had over 70 attendees, which included pharmacy directors and other pharmacy professionals in operation and management in hospitals and health-systems.

The CPS Board of Directors will be conducting their planning retreat on July 23. Included on the agenda is establishing a time line for the review of the Colorado Pharmacy statutes in preparation for the Pharmacy Sunset Review in 2012.

The next continuing education program will be at the 2008 CPS Annual Fall Meeting, September 24-26, 2008 in the Summit Conference Center in Aurora Colorado. Fifteen hours of ACPE-approved continuing education will be provided with education tracks for hospital pharmacists and community retail pharmacists. This will be the first year that the Annual Fall Meeting's Exhibit Hall will be held in conjunction with the University of Colorado School of Pharmacy's Professional Opportunities Day where pharmacy students have a chance to meet with potential future employers. Details about the program and registration will be available the end of this month on the CPS website, www.copharm.org.

Governor's Expert Emergency Epidemic Response Committee (GEEERC) – Paul Limberis, RPh

The Governor's Expert Emergency Epidemic Response Committee (GEEERC) met on July 8, 2008 at the Colorado Department of Public Health. The committee approved the following changes in Draft form to the Executive Orders:

1. Executive Order 1.0 - The Governor's executive orders may cancel elective surgeries and procedures commensurate with the level of need in hospitals. This may be limited to geographic areas or other identifiers.
2. Executive Order 5.0 - This cleans up the legal provisions for Certified EMT's and Licensed PA's. This would recognize Colorado certified or nationally registered EMT's to be able to practice under any licensed Colorado Physician in good standing.

The Situational Awareness Tool, an Internet based tool was introduced to the GEEERC. Members of the GEEERC will receive passwords and logins to the tool. This will give the users real time information on situations and surveillance during occurrences. This was first used with the Salmonella outbreak in Alamosa and will be utilized for the Democratic National Convention (DNC).

GEEERC involvement during the DNC will be with coordination of medical support as needed, surveillance of food service, and overall passive and active public health surveillance.

The next discussion item involved "Alterations in the Healthcare System During an Influenza Pandemic". This involves triage systems for healthcare equipment, services and pharmaceuticals. There is also a screening system for assigning tier levels for patients (pediatric and adult). These range from critical care beds to care at home. The document will be sent to stakeholders (including GEEERC members) and then sent out for public comment before completing the final draft.

The next meeting is scheduled for Thursday, August 14, 2008.

Intern & School Relations – Jeannine Dickerhofe, RPh

None.

Legislation - Jeannine Dickerhofe, RPh.

The Department of Health Care Policy and Financing (HCPF) has temporarily suspended the Prescription Drug Consumer Information and Technical Assistance Program created by HB 07-1021. This program would pay pharmacists for Medicaid patient profile review. The suspension is while HCPF waits for the Centers for Medicare and Medicaid (CMS) to approve a State Plan Amendment (SPA), which is required in order for the program to receive matching Federal funds. In April, CMS sent a Request for Additional Information (RAI) regarding the program. The Department responded to the RAI in May and is awaiting word from CMS on approval of the program to be decided before the end of August.

Colorado Senate Bill 135 was signed by the Governor and requires that rules be adopted requiring every carrier providing a health benefit plan to issue a standardized, printed card containing plan information. The new law also requires that a work group be established that will make recommendations on standards for technology and tools through which information may be electronically recognized, exchanged or transmitted. The pharmacy representative on this work group is Val Kalnins, Executive Director of the Colorado Pharmacists Society and the first meeting of the work group will be Friday, July 18, from 9-11 at the Division of Insurance. The rulemaking hearing is set for Tuesday, August 5, 2008 at 11:00 am at 1560 Broadway, Suite 850, Denver CO 80202. For more information about the proposed rules or amendments, you can contact Christine Gonzales-Ferrer, Compliance Assistant at 303-894-2157 at the Department of Regulatory Agencies.

The Immunization Task Force has been meeting this summer and is planning to review suggested rules changes at its next meeting the end of this month.

The second implementation phase of the Centers for Medicare and Medicaid (CMS) tamper-resistant prescription pad requirement begins this October 1. The first phase began this past April when CMS required Medicaid prescriptions to be written on pads that are either counterfeit-proof, copy-proof, or unalterable. As of October 1, Medicaid prescriptions must meet all three criteria. Prescriptions that are electronically transmitted or faxed are exempt from the rule.

The Medicare Improvements for Patients and Providers Act of 2008 (H.R. 6331) is legislation that would: require prompt payment of Medicare Part D claims; delay the Average Manufacturers Price (AMP) reimbursement formula in Medicaid; require weekly

updates of prescription drug pricing; and delay implementation of Round 1 of Medicare's durable medical equipment, prosthetics, orthotics, and supplies (DMEPOS) competitive bidding program. This bill passed both the House and Senate and was vetoed by President Bush. On July 15, by a vote of 70-26 in the Senate and a vote of 383-41 in the House, President Bush's veto of HR 6331 was overturned. This should temporarily alleviate the concerns about the inadequate reimbursement potential of using the AMP formula.

Rules – Rich Doyle

None

Inspectors

Printers Parkway Pharmacy, LLC, PDO 720

The Board reviewed information concerning a recent inspection of Printers Parkway Pharmacy, LLC, and voted to refer the matter for discipline.

OLD BUSINESS

Miscellaneous

SB 08-194

At its meeting on May 15, 2008, the Board requested that staff include a copy of Senate Bill 08-194 in the July 17, 2008 agenda packet. Upon review of the information provided, and upon a verbal update concerning the bill by Averil Strand, R.N., the Board noted the information, and determined no further action was necessary.

Pueblo Community Health Center Pharmacy & Return to Stock Prescriptions

The Board reviewed an Agenda Memorandum from Mr. Gassen concerning correspondence from Pueblo Community Health Center Pharmacy, which contends that the Board previously approved the practice of emptying the contents of returned to stock prescriptions back into corresponding packaging cassettes for the purpose of redispensing.

After careful review of all available information, the Board believed that it did not approve of the practice of placing returned to stock prescriptions back into the PharmASSIST system and requested that Pueblo Community Health Center Pharmacy comply with the current regulations pertaining to returned to stock prescriptions. In addition, the Board set aside previous letters of approval on this system. Therefore, Pueblo Community Health Center Pharmacy must comply with the current regulations regarding automated cassette packaging.

Complaints

Drogueria De La Villa, Inc., Case 2008-1776 & WHO Applicant

The Board reviewed an Agenda Memorandum from Mr. Gassen regarding Drogueria De La Villa, Inc. and an alleged distribution of prescription drugs to a pharmacy located in Colorado in December 2007 without an Out-of-State Prescription Drug Wholesaler registration issued by the Board.

After due consideration, the Board voted to issue an order to Drogueria De La Villa, Inc., directing that they cease and desist the practice of distributing prescription drugs into Colorado until such time as the facility is issued a Colorado Out-of-State Wholesaler license .

Case 2008-2313

At its meeting on April 17, 2008, the Board reviewed the available information concerning Case 2008-2313, and took action concerning the case. However, the Board also requested that documentation be submitted demonstrating that the security gate leading into the compounding / dispensing area of Save-On Pharmacy #840 could be closed and locked with reasonable effort.

The Board reviewed an Agenda Memorandum from Mr. Gassen documenting correspondence received from the pharmacy manager of Sav-On Pharmacy #840, which stated that on 4/14/08, the security gate had been fixed. This was later verified by a visit to the pharmacy by Inspector Mark O'Neil.

Upon review, the Board noted the information and determined no further action was necessary.

Stipulations

Keller, Theodore R., RPH 9467

Leonard Hierath, P.E., recused.

The Board considered correspondence from Mr. Keller requesting release from the terms of his Stipulation and Final Agency Order. The Board also considered a report from Tia Johnson, Complaint/Licensing Analyst, discussing Mr. Keller's compliance. After due consideration, the Board voted to release Mr. Keller from the terms of his Stipulation and Final Agency Order.

Rivergate Pharmacy, PDO 592

The Board considered correspondence from Rivergate Pharmacy requesting release from the terms of its Stipulation and Final Agency Order. The Board also considered a report from Tia Johnson, Complaint/Licensing Analyst, and a verbal update from Inspectors Billie Marseilles and Mark O'Neill concerning Rivergate Pharmacy's compliance. After due consideration, the Board voted to release Rivergate Pharmacy from the terms of its Stipulation and Final Agency Order.

Steinmetz, Robert D., RPH 14956

The Board considered correspondence from Mr. Steinmetz requesting release from the terms of his Stipulation and Final Agency Order. The Board also considered a report from Tia Johnson, Complaint/Licensing Analyst, discussing Mr. Steinmetz' compliance. After due consideration, the Board denied Mr. Steinmetz' request for release from the terms of his Stipulation and Final Agency Order, and directed staff to send correspondence to Mr. Steinmetz outlining his options concerning his Colorado pharmacist license.

Pharmacy Intern License Renewal Issues

Lewis, Angela N., IN 2003108

The Board reviewed all of the available information submitted concerning Ms. Lewis' answer to question 6 on her 9/22/07 online pharmacist intern licensure renewal application. Upon review, the Board accepted all of the information submitted concerning Ms. Lewis' affirmative answer, and determined further review of this matter is not necessary.

NEW BUSINESS

Miscellaneous

Correspondence from Martha Russell, Regulatory Counsel, Director of Regulatory Affairs, Cardinal Health

The Board reviewed the written request for clarification of pedigree requirements and Cardinal Health's application to "combination products" which contain a device and possibly a prescription drug as a component of the device.

After careful consideration of available information, the Board tabled further action concerning this matter in order for it to further research the topic. The Board will reconsider the matter at a future meeting after further research is completed and will inform Cardinal Health of its decision.

PharMerica & Rule 11.04.10

The Board reviewed an Agenda Memorandum from Mr. Gassen concerning an appeal from PharMerica of a request made by Board inspectors during a May 19, 2008 inspection of PharMerica to retroactively file 2 years worth of prescription orders and LTCF chart orders according to Regulation 11.04.10 when processed by the same pharmacy computer system.

After careful review of this regulation and all available information, the Board directed PharMerica to retroactively comply with the filing requirement detailed in the above rule dating back to two years from the date of the May 19, 2008 inspection and to provide written notice to the Board upon completion of this task.

Complaints

Berkey, Rex E., RPH 10570 2008-3434

A motion was made, seconded, and carried to dismiss the case as being without merit.

Hardy, Mary J., RPH 11866 2008-3082

Mary K. Arceneaux, R.Ph., recused.

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Hendrick, James S., RPH 11256 2008-3083

After due consideration of the available information, the Board voted to refer the case for discipline.

Hornby, Teresa B., RPH 17826 2008-3744

After due consideration of the available information, the Board voted to refer the case for discipline.

Kidane, Fitsumberhan, RPH 17668 **2008-2702**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Kingery, Kari D., RPH 17439 **2008-2638**

A motion was made, seconded, and carried to dismiss the case as being without merit.

Lambrecht, Brandon J., IN 2003362 **2008-3432**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Livingston, Scott K., RPH 12236 **2008-3182**

A motion was made, seconded, and carried to dismiss the case as being without merit.

Longmont United Hospital Pharmacy, PDO 80-5 **2008-3085**

Katherine Edelblut, R.Ph. and Paul Limberis, R.Ph., recused.

After due consideration of the available information, the Board voted to refer the case for discipline.

McFadden, Steven R., RPH 10783 **2008-3087**

Katherine Edelblut, R.Ph. and Paul Limberis, R.Ph., recused.

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Professional Hospital Supply, Inc., WHI 6033 **2008-3088**

Katherine Edelblut, R.Ph. and Paul Limberis, R.Ph., recused.

After due consideration of the available information, the Board voted to refer the case for discipline.

Mekonnen, Yoseph G., RPH 17489 **2008-2864**

Jeannine G. Dickerhofe, R.Ph. and Paul Limberis, R.Ph., recused.

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Muradyan, Artem A., IN 2002940 **2008-3128**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Nuquest, Inc., PDO 53-57 **2008-3257**

After due consideration of the available information, the Board voted to refer the case for discipline.

Jens, Brady M., RPH 16219 **2008-3263**

After due consideration of the available information, the Board voted to issue a Letter of Admonition for violations of the Pharmaceuticals and Pharmacists Act and Board regulations.

Parsons, David R., RPH 9597 **2008-3084**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Petmed Express, Inc., OSP 5087 **2008-2970**

A motion was made, seconded, and carried to dismiss the case as being without merit.

Presley, Billy E., RPH 13057 **2008-3593**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Rennell, Aimee A., RPH 17672 **2008-3491**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Rx Direct, Inc., OSP 5127 **2008-3596**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Samar, Shirin H., RPH 16183 **2008-3591**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Schulteis, Eric L., RPH 17345 **2008-2937**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Taber, Mark R., RPH 16351 **2008-2939**

After due consideration of the available information, the Board voted to issue a Letter of Admonition for violations of the Pharmaceuticals and Pharmacists Act and Board regulations.

After review of the information contained in Case #2008-2939, the Board directed a complaint be initiated against Walgreen Pharmacy #07581, PDO 558.

Tran, Hung K., IN 2002707 **2008-3081**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Trumbo, David W., RPH 10451 **2008-2969**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Urbatchka, Kathleen S., RPH 10573 **2008-3080**

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

Walgreen Pharmacy #09568, PDO 597 **2008-3609**

After due consideration of the available information, the Board voted to refer the case for discipline.

Wal-Mart Pharmacy #10-5099, PDO 525 **2008-3542**

A motion was made, seconded, and carried to dismiss the case as being without merit.

Williams, Karen P., RPH 14235 **2008-2854**

A motion was made, seconded, and carried to dismiss the case as being without merit.

Workman, Laurie A., RPH 15558 **2008-3277**

Jeannine G. Dickerhofe, R.Ph., recused.

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

LICENSING

Prescription Drug Outlets, New (In-State)

The Board approved the registrations of 8 new in-state outlets.

Prescription Drug Outlets, New (Out-of-State)

The Board approved the registrations of 3 new out-of-state outlets.

Wholesalers

The Board approved the registrations of 21 Out-of-State Wholesalers.

Licensure by Examination

The Board ratified the licensure of 10 applicants for licensure by examination.

Licensure by License Transfer

The Board ratified the licensure of 22 applicants seeking licensure through license transfer. It was noted that these licensees met all of the requirements for licensing under the provisions of section 12-22-116, C.R.S.

Licensure Issues

Pharmacy Intern Licensure Issues

Ellerbeck, Lafe A., Pharmacy Intern Applicant

The Board reviewed an Agenda Memorandum from Tia Johnson, Complaint/Licensing Analyst. After due consideration of the available information, the Board voted to deny Mr. Ellerbeck's pharmacy intern licensure application, however, the Board did provide Mr. Ellerbeck the opportunity to be issued a pharmacy intern license with conditions.

Sanchez, Jason, Pharmacy Intern Applicant

The Board reviewed an Agenda Memorandum from Tia Johnson, Complaint/Licensing Analyst. After due consideration, the Board voted to approve the application.

Smith, Kirk K., Pharmacy Intern Applicant

The Board reviewed an Agenda Memorandum from Tia Johnson, Complaint/Licensing Analyst. After due consideration, the Board voted to approve the application.

Pharmacist Licensure Reinstatement Licensure Issues

Kruk, Glenn RPH 12225, Pharmacist Licensure Reinstatement Applicant

The Board reviewed an Agenda Memorandum from Tia Johnson, Complaint/Licensing Analyst. After due consideration of the available information, the Board voted reinstate Mr. Kruk's pharmacist license, and to allow Mr. Kruk to be released from suspension, and to enter into the probationary period required per the Stipulation and Final Agency Order, Case #P-97-075, effective 9/25/06, amended 11/27/07.

MISCELLANEOUS

Correspondence, etc.

SJR 08-027

The Board reviewed and noted the information concerning Senate Joint Resolution 08-027, Concerning Transparency for Patients in Prescription Drug Care.

**Correspondence from the National Association of Chain Drug Stores (NACDS)
Concerning Prescription Drug Disposal Methods**

The Board reviewed and noted the information from NACDS.

Request from Nanette R. Tinker, R.Ph., Centura Health – Avista Adventist Hospital Pharmacy

The Board considered this request to allow a pharmacy to electronically maintain records detailing the receipt of non-controlled substance prescription drugs in lieu of maintaining hard-copy versions of these receipts.

After careful consideration of all available information, the Board has denied the request to electronically maintain records of receipt at this time and asks that Avista Adventist Hospital Pharmacy continue to maintain these records in hard-copy form. However, the Board also agreed to amend its current regulations to accommodate this request at a future meeting of the Board.

Request from the Colorado Chapter of the International Association of Compounding Pharmacists (IACP Colorado)

The Board considered a request from IACP for amendments to rule 21.00.30(e)(1), 21.10.60(a), and 21.11.10(a)(5). After due consideration, the Board rejected the proposed changes.

EXECUTIVE SESSION

Board President E. Katherine Edelblut moved that the Board enter into executive session as authorized by CRS 24-6-402 subsection (3)(a) roman (III) to discuss matters which are required by law to be kept confidential. Specifically, the provisions of law requiring these matters to be kept confidential are:

CRS 24-4-402 subsection (3)(a) romans (II) and (III), and section 13-90-107(b), which protect as confidential communications with counsel that are matters of pending or imminent litigation, or are otherwise subject to the attorney-client privilege, and CRS 25-1-1201 et sequitor, which protects the confidentiality of information pertaining to individual medical records.

The motion was unanimous.

Case Status Reports

The Board read and discussed the REC report.

The Board read and discussed the case status report from Ms. Lewis.

The Board read and discussed the July 10, 2008 case status report from Ms. Kaye.

The Board discussed all items referred to it earlier in the meeting as well as matters confidential by law.

OPEN SESSION

The Board approved admission into the REC PR08-156 upon the individual's admission into and enrollment in pharmacy school, and upon the individual's submission of a pharmacy intern application to the Board.

The Board voted to initiate a complaint against Robert Doherty, RPh #16511 (suspended) for failing to comply with the terms of his REC contract.

2008-2940

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

2008-2968

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

2008-3079

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

After review of the information contained in Case #2008-3079, the Board directed a complaint be initiated against Walgreen Pharmacy # 7777, PDO 24-80.

2008-3455

A motion was made, seconded, and carried to dismiss the case. The Board found that there was no reasonable cause to warrant further action at this time.

ADJOURNMENT

The Board adjourned at approximately 6:00 p.m.

Approved by E. Katherine Edelblut, RPh, President

Date: August 21, 2008

Attestation:

Pursuant to § 24-6-402(2)(d.5)(I)(B), C.R.S. , as Board President, I attest that the executive session of the Colorado Board of Pharmacy meeting held on July 17, 2008, was confided to the topics authorized for discussion pursuant to 24-6-402(3)(a)(II), 24-6-402(3)(a)(III), C.R.S.

Approved by E. Katherine Edelblut, RPh, President

Date: August 21, 2008

Pursuant to § 24-6-402(2)(d.5)(I)(B), C.R.S. , as counsel for the Board, I attest that it is my opinion that all matters discussed during the executive session of the Colorado Board of Pharmacy meeting held on July 17, 2008, constituted attorney-client communications and the contents of attorney-client discussions are not reflected within these minutes.

Approved by Jo Kaye, Assistant Attorney General

Date: August 21, 2008